

**IN THE UNITED STATES DISTRICT COURT
FOR THE STATE OF NEW MEXICO**

**STATE OF NEW MEXICO, *ex rel.*
State Engineer**

Plaintiff,

v.

RAMON ARAGON, *et al.*,

Defendants.

69cv07941 JEC-ACE

**RIO CHAMA STREAM SYSTEM
Section 7: Tierra Amarilla,
Rio Brazos, Rutheron & Plaza
Blanca, Cañones Creek, Village of
Chama**

**NEW MEXICO'S MOTION TO JOIN
ADDITIONAL PARTIES DEFENDANT**

COMES NOW plaintiff State of New Mexico, *ex rel.* State Engineer ("State") and respectfully requests the Court to join as additional parties defendant the persons or entities named below and order them to answer the State's Complaint in this action as required in any civil action in the United States District Court or suffer default judgment against them. In support of this motion, the State asserts:

1. The persons listed in Exhibit A attached hereto are diverting and using or may claim the right to divert and use surface or underground waters within the Rio Chama Basin. These waters belong to the public and are subject to appropriation in accordance with the laws of the state. This Court has exclusive jurisdiction of adjudicate all claims to the right to divert, store, or use public waters in the Rio Chama Basin.

2. The persons or entities listed in Exhibit A are in Section 7 of the Rio Chama Stream System, and may be diverting and using water associated with the subfile numbers listed, or may otherwise be using and diverting surface or underground waters within Section 7 of the Rio Chama

Stream System.

DATED: September 16, 2002

Respectfully submitted,

/electronic signature/
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CERTIFICATE OF SERVICE

I certify that a copy of New Mexico's Motion to Join Additional Parties Defendant was mailed to the following persons on September 17, 2002.

/electronic signature/
Edward G. Newville

**RIO CHAMA SECTION 7
DISTRIBUTION LIST**

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EXHIBIT A

<u>DEFENDANT</u>	<u>SUBFILE NO.</u>	<u>ADDRESS</u>
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Donald L. Serrano	CHRU-004-0015 CHRU-004-0016	1363 Santa Rosa Dr, Santa Fe NM 87505
Juliann J. Serrano	CHRU-004-0015 CHRU-004-0016	1363 Santa Rosa Dr, Santa Fe NM 87505
Hector M. Magallanes	CHRU-004-0015	2015 Morning Glory Lane, Las Cruces NM 88005
Cecilia A. Magallanes	CHRU-004-0015	2015 Morning Glory Lane, Las Cruces NM 88005
Art Espinosa	CHTA-003-0051	HC 75 Box 126, Tierra Amarilla NM 87575